

Calendar No. 97

105TH CONGRESS }
1st Session }

SENATE

{ REPORT
105-39

JIMMY CARTER NATIONAL HISTORIC SITE AND PRESERVATION DISTRICT

JUNE 26, 1997.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural
Resources, submitted the following

REPORT

[To accompany S. 669]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 669) to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE MEASURE

The purpose of S. 669 is to authorize the acquisition of the Plains Railroad Depot, by means other than donation, for inclusion in the Jimmy Carter National Historic Site in Plains, Georgia.

BACKGROUND AND NEED

The Jimmy Carter National Historic Site in Plains, Georgia was established by Congress in 1987, PL 100-206. The enabling legislation included authorization to acquire the Plains Railroad Depot by donation only. S. 669 would amend the enabling Act to remove the donation only limitation in order to allow for a “friendly condemnation” proceeding to clear title.

The Plains, Georgia railroad depot (depot) was the site of former President Carter’s campaign headquarters during the 1976 presidential campaign. The depot, built about 1890, was built on land deeded to the railroad in 1888 by a citizen of the town named M.L. Hudson. The deed stipulated that should the railroad no longer require the land, the lot upon which the depot is located would be returned to the heirs of the Hudson family. From the time of the

establishment of the Historical Site in 1987, the National Park Service has attempted to identify the Hudson heirs. A number of heirs have been located and the agency reports that to date, those located support inclusion of the depot within the historical site. The NPS does not believe that all the heirs with a potential claim have been located in spite of years of effort. This legislation would allow completion of the acquisition through a “friendly condemnation” proceeding.

Because of the confusion over identification of the Hudson heirs, the depot has not been developed to its full potential as an element of the historic site. For example, the small parking lot is muddy during wet weather and dusty during dry weather. The depot is currently served by a sub-standard septic tank because hook-up with the town sewer system has not been possible without clear title. As a result, the depot has been boarded up and unavailable for visitation.

According to the site General Management Plan (GMP) and Development Concept Plan (DCP) for the historic site, the depot will be converted into a museum. The theme of the museum will be highlighted by converting the depot to its appearance during the 1976 campaign. Exhibits and interpretive displays will be constructed using local volunteers and NPS labor and design. Site managers estimate that by using local resources, costs will be cut from \$512,000 (using contractors) down to \$50,000—or one tenth of the originally projected contractor cost.

LEGISLATIVE HISTORY

S. 669 was introduced by Senators Coverdell and Cleland on April 30, 1997. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on the bill on May 21, 1997.

At the business meeting on June 11, 1997, the Committee on Energy and Natural Resources ordered S. 669, as amended, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Committee on Energy and Natural Resources, in open business session on June 12, 1997, by a unanimous vote of a quorum present, recommends that the Senate pass S. 669 without amendment.

The rollcall vote on reporting the measure was 20 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Murkowski	
Mr. Domenici	
Mr. Nickles	
Mr. Craig	
Mr. Campbell	
Mr. Thomas	
Mr. Kyl	
Mr. Grams	
Mr. Smith	
Mr. Gorton	

Mr. Burns¹
 Mr. Bumpers
 Mr. Ford
 Mr. Bingaman¹
 Mr. Akaka¹
 Mr. Dorgan¹
 Mr. Graham¹
 Mr. Wyden
 Mr. Johnson¹
 Ms. Landrieu

¹Indicates voted by proxy.

SUMMARY OF S. 669

S. 669 modifies Section 1(c)(2) of the enabling Act for the Jimmy Carter National Historic Site to remove the restriction that the Plains Railroad depot be acquired only by donation for inclusion in the Jimmy Carter National Historic Site.

COST AND BUDGETARY CONSIDERATIONS

The following cost estimate for this measure has been provided by the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 669. A bill to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site

CBO estimates that implementing S. 669 would cost the federal government less than \$20,000, assuming appropriation of the necessary amount. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 669 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would not have a significant impact on the budgets of state, local, or tribal governments.

S. 669 would remove the existing prohibition on the purchase of the Plains Railroad Depot, one of the properties that compose the Jimmy Carter National Historic Site. Under current law, this property may only be acquired by donation. Eliminating the restriction on paying for the property would enable the National Park Service (NPS) to acquire about 0.3 acres of land associated with the depot building (which the agency already owns) through condemnation. The NPS believes that using the condemnation procedure is necessary to resolve certain questions surrounding the ownership of the property.

Based on information provided by the NPS and assuming appropriation of the necessary funds, CBO estimates that the government would spend less than \$20,000 to purchase and develop the depot land in 1998. Most of this amount would probably be deposited in escrow for the benefit of heirs to the property that may be identified as a result of the condemnation proceeding. The NPS would use the balance to develop parking and other facilities for the depot.

The CBO contact for this estimate is Deborah Reis. The estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 669. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 669, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 21, 1997, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 669. These reports had not been received at the time the report on S. 669 was filed. When these reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony of the Department of the Interior at the Subcommittee hearing follows:

STATEMENT OF KATHERINE H. STEVENSON, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, PARTNERSHIPS AND STEWARDSHIP, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to offer the Department of the Interior's views on S. 669, a bill to amend the Act of December 23, 1987 (P.L. 100-206), that established the Jimmy Carter National Historic Site and Preservation District to authorize the acquisition of the Plains Railroad Depot by donation, purchase with donated or appropriated funds, exchange, or other means.

We strongly support this legislation, and we recommend its enactment.

The Plains Railroad Depot, which was built in 1888, served as the headquarters for Jimmy Carter's successful 1976 presidential campaign. The depot is cited in the act that established the Jimmy Carter National Historic Site and Preservation District as one of four cultural resources that has significant historical association with the 39th President of the United States. The railroad depot is an integral part of the Jimmy Carter National Historic Site and Preservation District, which also includes the boyhood home of Jimmy Carter, the Plains High School, and the Carter compound. The Jimmy Carter National Historic Site tends to have especially heavy visitation from school groups and in 1990, the depot alone had 34,822 visitors.

During the 1976 presidential campaign, the depot figured prominently in media coverage and became closely associated with Jimmy Carter, the candidate. The campaign itself was remarkable in that it succeeded in bringing a largely unknown contender to the attention of the entire country.

Although the Plains Historic Preservation Trust donated the depot structure to the National Park Service in 1988, the 0.19 acre tract on which the depot stands remains in private ownership. M.L. Hudson conveyed an easement for railroad purposes to the railroad company, which is now CSX. No conveyance of the underlying fee title took place. The city of Plains and the National Park Service have sought for several years to resolve the question of property ownership, but we have been unable to determine the heirs of the original landowner.

Under current law the Secretary is authorized to acquire the land on which the depot stands only through donation. This restriction prevents the National Park Service from acquiring the property; and because the National Park Service does not own the property on which the depot stands, we are unable to connect the facility to the city sewer system or to provide visitor parking, sidewalks or access to the building for the disabled. S. 669 would release the donation restriction on the acquisition of the property and would allow the National Park Service to clear title to the property by other means of acquisition including a quiet title action, and to compensate the owners should they be located.

Despite the constraints imposed by the fact that the land is not in Federal ownership, we have been able to move forward with the development of the depot structure into a museum. This progress is due, in large part, to a partnership between the National Park Service and an organization of collectors of political memorabilia. This 80-member organization, called the Carter Political Items Collectors (CPIC), is a subchapter of a much later group, the American Political Items Collectors, who is interested in American political history.

The partnership began two years ago when President Carter suggested that the CPIC assist the National Park Service with the project of converting the railroad depot into a museum. Efforts are well underway to establish in the depot fourteen exhibits and two audiovisual programs focusing on key events in President Carter's journey through the national primaries, caucuses, Democratic convention and the general election. We will also highlight the major role the small railroad depot played in the 1976 presidential campaign.

Because of the success of the partnership with CPIC, this project will be completed at a cost of approximately \$50,000 instead of \$512,000 which was the cost estimate included in the General Management Plan for the site. We

expect to host the opening of the depot museum on September 27, of this year.

Mr. Chairman, this concludes my prepared remarks. I will be pleased to answer any questions you or other members of the Subcommittee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in law made by the bill S. 669, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT To establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT OF JIMMY CARTER NATIONAL HISTORIC SITE.

* * * * *

(c) ACQUISITION OF REAL AND PERSONAL PROPERTY.—(1) Except as otherwise provided in this subsection and subject to such terms, reservations, and conditions as the Secretary determines reasonable or necessary, the Secretary may acquire by donation, purchase with donated or appropriated funds, exchange, or otherwise—

(A) lands and interests in lands within the boundaries of the historic site; and

(B) personal property and artifacts for purposes of the historic site.

(2) The Carter home (described in subsection (b)(2)(A)【, the Plains Railroad Depot (described in subsection (b)(2)(B)),】 and the Plains High School (referred to in subsection (b)(2)(E)) may only be acquired by donation.

* * * * *